



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: State Board of Health

☒ Preproposal Statement of Inquiry was filed as WSR 02-03-137 ; or

☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or

☐ Proposal is exempt under RCW 34.05.310(4).

☐ Original Notice

☒ Supplemental Notice to WSR 05-02-082

☐ Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) Chapter 246-272A WAC- Onsite Sewage Systems

This chapter contains the design, installation and operation requirements for onsite sewage systems handling 3,500 gallons per day and under; specific criteria for proprietary product registration; and direction to local health jurisdictions to develop a written onsite sewage system management plan.

Hearing location(s):

Red Lion Hotel
2300 Evergreen Park Drive
Olympia, WA 98502

Submit written comments to:

Name: Kelly Cooper
Address: P.O. Box 47820
Olympia, WA 98504
e-mail <http://www3.doh.wa.gov/policyreview/>
fax (360)236-2250 by (date) June 22, 2005

Date: July 13, 2005 Time: 1:30 pm

Assistance for persons with disabilities: Contact

Desiree Robinson 236-4107 by June 22, 2005

TTY (800) 833-6388 or () _____

Date of intended adoption: July 13, 2005

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

Changes have been made to several sections of the original proposal.

- 246-272A-0015 -Local management and regulation. Detailed planning is limited to the 12 Puget Sound counties, a due date of July 2007 is added for plan completion, and other clarifying language is made.
- 246-272A-0234(8) Design Requirements- Soil Dispersal Components. In certain circumstances, the supplemental proposal will allow a reduction in land area if a higher level of treatment is used. The SBOH made this change in response to comments that some lots with sandy soils would become unbuildable as a result of changes to the soil descriptions combined with changes to loading rates.
- 246-272A-0270(1)(k) Operation and Maintenance- Owner Responsibilities. The supplemental proposal clarifies that the requirement to provide maintenance records at the time of sale applies only if the records are available. Reference is made to chapter 64.06 RCW for consistency with real estate disclosure requirements.
- 246-272A-0320 Developments, subdivisions and land area requirements. The supplemental proposal reverts to the Method I minimum lot sizes listed in the current rules, WAC 246-272-20501. The local health officer is given discretion to require larger lots if nitrogen is a concern.

Statutory authority for adoption: 43.20.050

Statute being implemented: 43.20.050

Is rule necessary because of a:

Federal Law?

Federal Court Decision?

State Court Decision?

If yes, CITATION:

☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No

DATE

5/17/05

NAME (type or print)

Craig McLaughlin

SIGNATURE

TITLE

Executive Director

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAY 18 2005

TIME

WSR

11:22

05-11-109

AM

PM

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) State Board of Health and Department of Health

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Kelly Cooper	7171 Cleanwater Lane, Bldg 2, Tumwater WA 98504	(360) 236-3012
Implementation..... Maryanne Guichard	7171 Cleanwater Lane, Bldg 4, Tumwater WA 98504	(360) 236-3391
Enforcement..... Maryanne Guichard	7171 Cleanwater Lane, Bldg 4, Tumwater WA 98504	(360) 236-3391

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☒ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name: Kelly Cooper

Address: P.O. Box 47820

Olympia, WA 98504

phone (360) 236-3012

fax (360) 236-2250

e-mail kelly.cooper@doh.wa.gov

☐ No. Explain why no statement was prepared.

Is a cost-benefit analysis required under RCW 34.05.328?

☒ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Same as above

Address:

phone () _____

fax () _____

e-mail _____

☐ No: Please explain: